

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JESUS MANUEL GALLEGOS,

Petitioner,

v.

**No. 17-cv-0909 WJ/SMV
11-cr-2994 WJ/SMV**

UNITED STATES OF AMERICA,

Respondent.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court on the United States' Response Opposing Vacatur [Doc. 296], filed on November 8, 2017. The Response contains no certificate that it was served on Petitioner as required by D.N.M.LR-Civ. 7.1(b). Accordingly, it appears that Respondent has failed to serve Petitioner with its Response.

IT IS THEREFORE ORDERED that Respondent show cause in writing **no later than December 8, 2017**, why its failure to serve Petitioner should not be deemed as consent to grant the Petition [Doc. 283], pursuant to D.N.M.LR-Civ. 7.1(b) ("The failure of a party to . . . serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion.").

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge